

## REMARKS

Applicant has received the Office Action dated November 30, 2004. In the Office Action, the Examiner rejected Claims 3 and 4 under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner rejects Claim 3, arguing that the recitation of "a slot" is unclear. The Examiner also rejects Claim 4, arguing that the "second slowing and directing means" is a plurality of holes, not slots. Applicant respectfully submits that Applicant's claim limitation relating to "slot" is clear and accurate, and broad enough to cover holes and similar types of openings. As Applicant's invention is not merely limited to holes, Applicant respectfully submits that the language is clear and acceptable as originally submitted. It is, therefore, respectfully requested that the Examiner withdraw the rejection under 35 U.S.C. §112, grant reconsideration to Claims 3 and 4, and pass the application to allowance.

The Examiner has also rejected Claims 1-20 under 35 U.S.C. §102(b) as being anticipated by Watts, U.S. Letters Patent No. 3,636,830, which includes a mat, risers and holes. Applicant respectfully traverses the Examiner's rejection. Applicant submits that the Examiner has failed to identify Applicant's claimed subject matter in the cited prior art. The Examiner has not identified where Applicant's claimed second erosion control surface, or third erosion control surface, appear in the cited art. The Examiner has also failed to identify where in the cited art the third erosion control surface is in overlapping relationship relative to the first erosion control surface and the second erosion control surface. Indeed, Applicant respectfully submits that the Examiner has failed to point out a single element extant in any of Applicant's claims which is anticipated by U.S. Letters Patent No. 3,636,830. Accordingly, Applicant respectfully requests

that the Examiner withdraw the rejection of Claims 1-20 under 35 U.S.C. §102(b), grant reconsideration to the application, and pass Claims 1-20 to allowance.

The Examiner is respectfully encouraged to call the undersigned at 515-288-9263 if the above remarks are not sufficient to overcome the Examiner's rejections of the instant application.

Respectfully submitted,

By 

Brett J. Trout, Reg. No. 37,250  
516 Walnut  
Des Moines, IA 50309